MAJOR PROJECT REVIEW PROCESS

GUIDELINES

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INTRODUCTION

Sustaining the provincial economy for the benefit of British Columbians, today and in the future, depends on forging strong links between development, the environment, and community and regional priorities.

Integrated review of the environmental and socio-economic impacts of development proposals is critical to promoting that sustainability.

To address the interests of the public, development proponents and government agencies, all of whom seek a clear, predictable process for the review of major industrial projects, the Major Project Review Process (MPRP) was adopted by the provincial government in February 1990. It applies to major industrial projects such as pulp and paper mills, mineral smelters and refineries, chemical plants and major ports.

Two other review processes are already in place (Mine Development Review Process and Energy Project Review Process) covering the impact assessment of major mine and energy projects. In addition, separate review processes exist for allocating harvesting rights to Crown timber, and for dealing with proposals to establish ski hills on Crown land. This

edition of the Guidelines incorporates changes in the MPRP based on the first year of experience with the process.

OBJECTIVES OF PROCESS

The main objective of the Major Project Review Process is to provide for the comprehensive and timely assessment of the environmental and socio-economic impacts of major industrial projects in British Columbia.

Other key objectives include:

- providing proponents with a single window of contact regarding the information and regulatory requirements applying to their projects, and the procedures and time frames for obtaining environmental and other approvals;
- providing an opportunity for public involvement in identifying and addressing community concerns about major projects;
- facilitating the co-operation and co-ordination of the federal and provincial governments in environmental and socio-economic reviews of major projects;
- encouraging the early development of management plans for the environmental and socio-economic impacts of major projects;
- providing a streamlined approval process for projects with no major environmental or socio-economic impacts; and
- ensuring that conditions of project approval are met by the proponent.

RELATIONSHIP TO OTHER PROJECT REVIEW PROCESSES

Situations may arise where a project is subject to review under more than one provincial review process. For example, a new or expanded pulp mill proposal incorporating a co-generation facility of 20MW or greater would automatically be subject to both the MPRP and the Energy Project Review Process. In this situation, the provincial review processes would be combined so that all statutory and other requirements would be satisfied through one process.

In many cases, projects subject to the MPRP will also require screening and possible further review under the federal Environmental Assessment and Review Process (EARP). For such projects, the MPRP review will, to the extent possible, be co-ordinated with the EARP review to provide project proponents with a single set of information requirements. Similarly, the MPRP review of projects lying within the jurisdiction of the Fraser River Estuary Management Program (FREMP) will be co-ordinated with the FREMP Environmental Review.

The MPRP does not supersede other provincial regulatory requirements or municipal or regional district requirements under the Municipal Act. Regional district and/or municipal staff are invited to participate in the MPRP review of projects proposed within their jurisdiction.

WHAT IS A MAJOR PROJECT?

The Major Project Review Process applies to the construction or major expansion of production facilities within a number of industries. Generally, these fall into four main categories: pulp and paper production; mineral smelting and refining; chemical production; and major ports. A detailed listing of the industries covered by the MPRP is included in Appendix 1.

In establishing the list of covered industries, the intent is to minimize the likelihood of needlessly subjecting projects with low environmental impacts to the MPRP. Taking this approach, however, has increased the likelihood of some environmentally significant projects not falling within the covered industries. To deal with this situation, the Cabinet Committee on Sustainable Development may require other projects to go through the MPRP.

Plant relocations and expansions are to be referred to the steering committee of the MPRP for a decision on the need for formal review. The decision to review plant relocations will be primarily based on the relative sensitivity of the new site, as compared to the old site. With regard to expansions, only major expansions will require formal review under the MPRP, while expansions that are deemed to be minor in nature by the steering committee will undergo the normal permitting and licensing process.

ADMINISTRATION

The Major Project Review Process is non-legislated working policy supported by the Environment and Land Use Act. It is administered by the Major Project Steering Committee (MPSC), co-chaired by the Ministry of Development, Trade and Tourism and B.C. Environment. The steering committee also includes representatives from the provincial ministries of Forests; Energy, Mines and Petroleum Resources; and Municipal Affairs, Recreation and Culture, as well as the Federal Environmental Assessment and Review Office (FEARO) and Environment Canada. Federal input and participation in the MPRP is co-ordinated through the Environment Canada representative. Representatives from the municipality or regional district where the project is to be located are invited to join the MPSC for deliberations concerning the project.

All provincial and federal agencies and local and regional governments that may be impacted by a project are provided with copies of documents and materials submitted by the project proponent for review. These agencies are given the opportunity to provide comments,

and to indicate to the steering committee whether or not they wish to be included further in the review of the project.

The federal representatives on the steering committee provide advice on whether a project under MPRP review is also subject to review under EARP, and identify the requirements associated with such a review.

APPROVAL IN PRINCIPLE

Approval in principle is required prior to the issuance of all provincial permits, licences or approvals for any project that falls under the jurisdiction of the Major Project Review Process. Approval in principle is granted when all potential environmental and socio-economic impacts of a project have been identified, and feasible and effective means for managing them have been proposed and committed to by the proponent. Thus, for approval in principle to be granted, the project proponents must satisfactorily address all legitimate, technical, environmental and socio-economic concerns raised during the review process.

The approval in principle is valid for five years. If there is no significant progress in initiating the project during that period, or if there are any major changes to the proposal during the five year period, then the MPSC will review the approval-in-principle decision.

The Major Project Steering Committee may grant approval in principle at the conclusion of the Prospectus or Stage I review. Proposals that have been subject to Stage II review will be referred to the Cabinet Committee on Sustainable Development for an approval-in-principle decision.

HOW TO ENTER THE PROCESS

Proponents of major industrial projects should write the MPRP co-ordinator, Ministry of Development, Trade and Tourism, or the MPRP co-ordinator, B.C. Environment, to request a pre-application meeting with representatives of the steering committee, if their proposal is in one of the industries listed in Appendix 1.

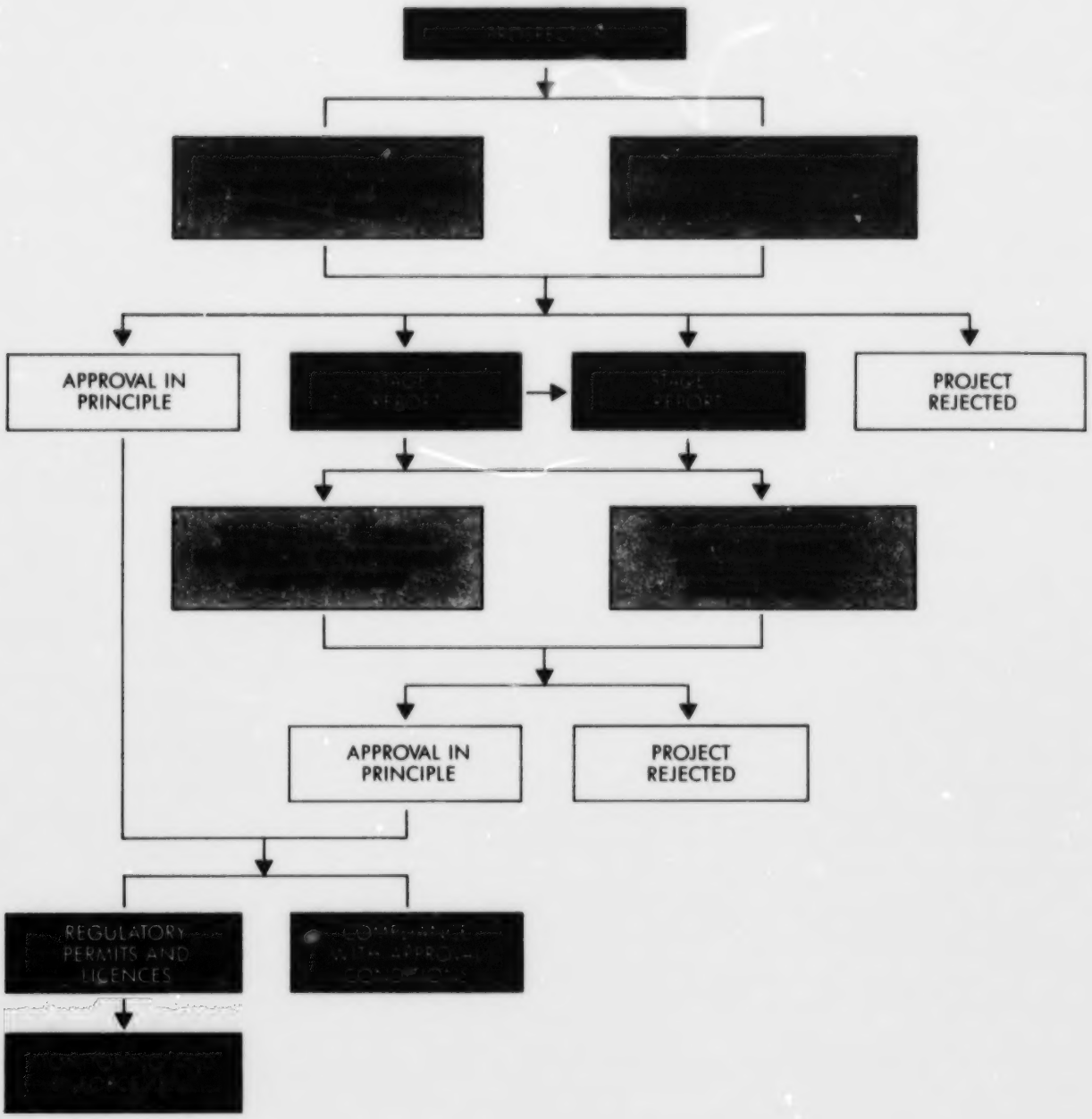
The pre-application meeting will give the proponent an opportunity to become familiar with the MPRP, the government agencies that will be involved in the review of the proposal, and the information requirements to complete a prospectus. The pre-application meeting also helps the steering committee to determine if a project needs to be subject to the MPRP.

Further information on how to enter the MPRP is contained in Appendix 2.

REVIEW PROCEDURES

The Major Project Review Process is divided into three stages: Prospectus; Stage I; and Stage II. The number of review stages required for a project depends on the significance of anticipated technical, environmental or socio-economic impacts. Figure I outlines the stages of the MPRP. Once approval in principle is granted, the proponent is able to finalize the required permits and licences with the pertinent government agencies. Projects for which no significant impacts are anticipated, or for which the impacts can be readily mitigated or managed, will normally be granted approval in principle at the conclusion of the Prospectus review. However, if the steering committee decides that further review is required, then the project will be referred to either Stage I or Stage II.

FIGURE 1 MAJOR PROJECT REVIEW PROCESS OUTLINE



PROSPECTUS PREPARATION AND REVIEW

PROSPECTUS CONTENTS

Proponents are required to submit at least 100 copies of the prospectus when formally entering the MPRP. The purpose of the prospectus is to provide an overview of the project. The prospectus should include a concise resume of the proponent's corporate activities, a substantive description of the project, including preferred sites and schedules, and a description of the potential environmental and socio-economic impacts of the project and how these are to be addressed (Appendix 3). A detailed guide to the preparation and review of a Prospectus Stage report is contained in Appendix 2.

Prior to the formal submission of a prospectus, proponents should contact either the MPRP co-ordinator, Ministry of Development, Trade and Tourism, or the MPRP co-ordinator, B.C. Environment, to set up a pre-application meeting to discuss the project and the MPRP. In addition, the proponent is encouraged to submit a draft prospectus for review to ensure that all major areas of potential public and government concern are addressed, prior to formally submitting the prospectus for review.

PUBLIC CONSULTATION

The prospectus is a public document. The proponent is required to advertise its availability in local papers, and to make copies available to local governments, native groups, public libraries and others as directed by the steering committee. The public will be invited to submit written comments on the prospectus to the steering committee and to the proponent. These comments are to be submitted within 40 days of the newspaper advertisement.

In addition, within two weeks of the distribution of the prospectus, the proponent is required to hold a public information meeting at which information is presented by the proponent on the proposed project, and on the MPRP by a representative of the steering committee.

DECISION

The Prospectus review period will vary depending on the complexity of the project, in most cases taking approximately eight to 10 weeks. At the end of the Prospectus review, the steering committee will make a decision to approve the project in principle, refer the project to Stage I or II for further review, or reject the project. This decision is based on the comments received from the public and government agencies. If a project receives approval in principle, then subject to conditions which must be signed off by the steering committee, the proponent will then proceed to deal directly with the pertinent government agencies to finalize the required permits and licences. The proponent will be required to report back to the steering committee on compliance with the conditions of approval in principle once project development is underway.

In general, projects will be referred to Stage I when further review is considered necessary, primarily to address technical, environmental and socio-economic issues. Projects which raise significant public concerns, as well as unresolved technical issues, will generally be referred directly to a Stage II review. Projects referred to Stage I for review will generally not require Stage II review unless the issues identified for analysis are not satisfactorily addressed in Stage I. In cases where the outstanding issues are not considered to be resolvable, the project may be rejected at the end of the Prospectus review.

The Major Project Steering Committee will issue a report to the public on each project which explains to all interested parties the rationale behind the steering committee's decision. This report will include all government agency and public comments, and will be distributed to the public in the same manner as the Prospectus document.

STAGE I REPORT AND REVIEW

STAGE I REPORT AND CONTENTS

Custom-tailored terms of reference for the Stage I report will be provided to the proponent by the steering committee. The terms of reference will focus on the unresolved technical, environmental and socio-economic impact concerns raised during the Prospectus review.

The proponent will then prepare a Stage I report, which should include impact mitigation or management proposals. As with the Prospectus report, the proponent is encouraged to submit a draft Stage I report to ensure that all areas of concern have been addressed. The proposals, and comments received on the Stage I report from the public and government agencies, will form the basis for the MPSC decision to be made at the end of the Stage I review.

PUBLIC CONSULTATION

The proponent is required to make the Stage I report available to the public in the same manner as the Prospectus. The proponent will also be required to hold public information sessions to obtain additional feedback on the project and the proposed impact mitigation or management measures. The proponent will receive guidance from the steering committee as to the form and location of these public sessions and will be required to forward all comments to the steering committee.

The time frame for the review of a Stage I report will be established by the steering committee following an initial review of the draft report.

DECISION

At the end of the Stage I review, the steering committee will grant approval in principle if the issues identified for analysis during Stage I are satisfactorily addressed, or are resolvable during the permitting and licensing process. If minor issues remain outstanding, the steering committee may choose to grant an approval in principle, subject to conditions which must be signed off by the steering committee prior to permitting and licensing. The proponent will be required to report back to the steering committee on compliance with the conditions of approval in principle once project development is underway. If the proponent fails to resolve major issues of concern, the project will be referred to Stage II for further review, or may be rejected if the issues are considered to be unresolvable.

As with the Prospectus stage, at the conclusion of the Stage I review, the MPSC will issue a report to the public which explains to all interested parties the rationale behind the steering committee's decision. This report will include public and government agency comments, and will be distributed in the same manner as previous documents.

STAGE II REPORT AND REVIEW

STAGE II REPORT AND CONTENTS

Custom-tailored terms of reference for the Stage II report will be provided to the proponent by the steering committee. The ability of the Stage II report to address the terms of reference, including mitigation and impact management proposals, and the input received from public consultation and

government agencies will form the basis on which the approval in principle or rejection decision for the project is made at the end of the Stage II review.

PUBLIC CONSULTATION

The proponent will be required to make the Stage II report available to the public in the same manner as previous stages. In addition, the Cabinet Committee on Sustainable Development may instruct the steering committee to provide for further public involvement by way of one of the following:

- appointment of an individual or a panel to review the Stage II report and conduct a fact-finding mission in order to verify and/or supplement existing information;
- appointment of a mediator/facilitator to meet separately with the affected parties to negotiate a mutually-acceptable solution; or
- appointment of an independent review panel to review the Stage II report and hold public hearings in order to make recommendations to the Cabinet Committee on Sustainable Development.

DECISION

At the end of the Stage II review, the Cabinet Committee on Sustainable Development may grant a project approval in principle if all issues of concern to government have been resolved, or are resolvable through the permitting and licensing process, or reject the project if major issues of concern to government are unresolvable.

FINANCIAL ANALYSIS

If at any stage of the review process, publicly-financed infrastructure or other types of government assistance are requested, or substantive and costly mitigation requirements are identified, then the steering committee may request that the proponent submit a confidential financial feasibility analysis of the project to the Ministry of Development, Trade and Tourism. The ministry will review the analysis and advise the steering committee as to the status of the requested government assistance and the capacity of the proponent to meet mitigation requirements.

PERMITTING AND LICENSING

Once approval in principle has been granted, the proponent will be referred to the pertinent government agencies to finalize the necessary permits and licences. After all major issues of concern to the government associated with the project have been resolved, applications from the proponent for provincial government licences, permits, certificates and other approvals will be processed. Although the proponent is encouraged to apply for permits as early as possible, they will not be issued until the project receives approval in principle.

PUBLIC INVOLVEMENT

Public involvement in the MPRP is necessary if the full range of public concerns regarding a project are to be identified and addressed. There are provisions for public involvement at all stages of the MPRP. The Prospectus, Stage I and Stage II reports are made available to the public, and written comments on all of these documents by the public are welcomed and are considered by the steering committee. Public comments should focus on the suitability of project plans, the potential direct and indirect impacts and possible mitigative measures proposed by the proponent in the Prospectus. The rationale for specific concerns and recommendations should be provided as part of the written comments.

In addition, during the Prospectus and Stage I reviews, the proponent is required to hold public information sessions to obtain additional feedback on the proposal. Provisions for further public involvement are contained in Stage II.

CONTACTS

For further information or queries in regards to the Major Project Review Process, contact one of the following:

B.C. Environment
Environmental Assessment Branch
Attn: MPRP Co-ordinator
Third Floor
777 Broughton St.
Victoria, British Columbia
V8V 1X5
Tel: 387-9677
Fax: 356-7183

Ministry of Development,
Trade and Tourism
Primary Industries Branch
Attn: MPRP Co-ordinator
Fourth Floor
712 Yates St.
Victoria, British Columbia
V8V 1X4
Tel: 387-3707
Fax: 356-8212

APPENDIX 1

INDUSTRIES SUBJECT TO THE MAJOR PROJECT REVIEW PROCESS

The industries which will be covered by the Major Project Review Process are listed below. In addition to the industry name, the standard industrial classification (SIC) code is provided. The SIC code is a number Statistics Canada uses to identify specific industries.

The Cabinet Committee on Sustainable Development may require projects in industries that are not listed in Appendix 1 to be subject to the MPRP if it appears that the potential environmental or socio-economic impacts of the project warrant such action.

1511 Tire and Tube Industry
Establishments primarily engaged in manufacturing tires and tubes for vehicles, machinery and implements.

1711 Leather Tanneries
Establishments primarily engaged in tanning, currying, colouring and finishing leather of all types.

2591 Wood Preservation Industry
Establishments primarily engaged in treating wood and wood products against normal decay.

2711 Pulp Industry
Establishments primarily engaged in manufacturing mechanical, semi-mechanical and chemical wood pulp for sale as such. These establishments may manufacture paper as a secondary product. Establishments primarily engaged in manufacturing paper are also covered (see below).

2712 Newsprint Industry
Establishments primarily engaged in manufacturing newsprint and groundwood printing paper.

2713 Paperboard Industry
Establishments primarily engaged in manufacturing paperboard and building paper (used in asphalt-coated vapour barrier or in the manufacture of insulation batts).

2714 Building Board
Establishments primarily engaged in manufacturing pulp-based building board.

2719 Other Paper Industries
Establishments primarily engaged in manufacturing fine, specialty and sanitary papers.

2911 Ferro-Alloys Industry
Establishments primarily engaged in manufacturing ferro-alloys.

2919 Other Primary Steel Industries
Establishments classified under this category include those engaged in producing pig iron in blast furnaces for subsequent smelting into molten steel, producing molten steel from scrap or pre-reduced pellets in a steelmaking vessel, and casting and rolling steel into primary shapes.

2951 Primary Production of Aluminum Industry
Establishments primarily engaged in producing aluminum from alumina or bauxite and in refining aluminum.

2959 Other Primary Smelting and Refining of Non-Ferrous Metal Industries
Establishments primarily engaged in smelting and refining non-ferrous metals (except aluminum).

3521 Hydraulic Cement Industry
Establishments primarily engaged in manufacturing hydraulic cement.

3561 Primary Glass and Glass Containers Industry
Establishments primarily engaged in manufacturing sheet and plate glass, including hermetically sealed glass for installation in window units and glass containers.

3571 Abrasives Industry
Establishments primarily engaged in manufacturing grinding wheels and other abrasive products. This industry includes the manufacture of primary abrasive materials such as fused alumina and silicon carbide.

3581 Lime Industry
Establishments primarily engaged in manufacturing quicklime and hydrated lime. Secondary products of establishments in this industry include crushed limestone.

3591 Refractories Industry
Establishments primarily engaged in manufacturing refractory products.

3592 Asbestos Products Industry
Establishments primarily engaged in manufacturing asbestos basic products.

3711 Industrial Inorganic Chemical Industries n.e.c.
Establishments primarily engaged in manufacturing basic industrial inorganic chemicals such as acids (except organic), alkalis, salts, compressed gases, radioactive chemical elements and other inorganic compounds.

3712 Industrial Organic Chemical Industries n.e.c.
Establishments primarily engaged in manufacturing organic industrial chemicals such as aliphatic acids, alcohols (except ethyl alcohol), glycols, unsaturated monomers, amine function compounds and betone and quinine compounds. Secondary products of establishments in this industry include plastic materials not shaped and additives for petroleum products.

3721 Chemical Fertilizer and Fertilizer Materials Industry
Establishments primarily engaged in manufacturing chemical fertilizer and fertilizer materials.

3729 Other Agricultural Chemical Industries
Establishments primarily engaged in manufacturing herbicides, fungicides, insecticides and other formulated agricultural chemicals.

3731 Plastic and Synthetic Resin Industry
Establishments primarily engaged in manufacturing synthetic resins in such forms as powders, granules, flakes or liquids, or in compounding synthetic resins into moulding compounds.

3751 Paint and Varnish Industry
Establishments primarily engaged in manufacturing paints, varnishes, lacquers, enamels and shellac. This industry also includes establishments primarily engaged in manufacturing products such as putty, filler, oil stain and thinner.

4552 Harbour and Port Operation Industry
Establishments primarily engaged in operating harbour and port facilities and services.

APPENDIX 2

DETAILED GUIDE TO PROSPECTUS PREPARATION AND REVIEW

PRE-PROSPECTUS MEETING

Proponents of projects subject to review under the Major Project Review Process (MPRP) should contact the MPRP co-ordinator, Ministry of Development, Trade and Tourism, or the MPRP co-ordinator, B.C. Environment, to arrange a pre-prospectus meeting with the Major Project Steering Committee (MPSC). The purpose of the pre-prospectus meeting is to:

- discuss the nature of the proposed project;
- outline the obligations of the proponent under the MPRP, including information requirements for the prospectus and the time frame which could be involved in the review;
- identify if the project may be subject to the MPRP;
- identify if the project may be subject to the federal Environmental Assessment and Review Process (EARP);
- identify if the project may be subject to other review planning processes (e.g., Fraser River Estuary Management Program); and
- establish contact points for the proponent and MPSC.

At the pre-prospectus meeting, the proponent should be prepared to provide the MPSC with the following information on the project:

- technical specifications (process, scale, resource inputs, products);
- proposed location (site description, alternative sites, zoning, types of adjacent land uses);
- infrastructure and servicing requirements;
- development schedule and probable timing for submission of a (draft) Prospectus;
- impact identification and management;
- consultation with local, regional, provincial and federal government agencies to date and proposed; and
- public involvement activities to date and proposed.

Projects not specified in Appendix 1 may be referred to the steering committee for possible review under the MPRP. In such circumstances, the proponent may be requested to submit a letter of intent. This letter should provide a brief overview of the project, describe its location and scale, and outline the potential social, economic and environmental impacts. A decision on the applicability of the MPRP will be made on the basis of the letter of intent.

If it is determined that the project does not require formal review under the MPRP, then the steering committee will send a letter to the proponent outlining its decision. If further review is required, then a pre-prospectus meeting will be arranged.

DRAFT PROSPECTUS REVIEW

Following the pre-prospectus meeting, it is recommended that the proponent submit a draft prospectus to the MPSC for preliminary review. Steering committee members will review the draft document to ensure that all major areas of potential public and government concern are addressed in a level of detail appropriate to a Prospectus review.

If the project is also to be reviewed under EARP, then best efforts will be made to ensure that the prospectus will satisfy the initial information requirements of the provincial MPRP and federal EARP at the same time.

SUBMISSION OF PROSPECTUS

Prior to the formal submission of the prospectus to the steering committee, the proponent should provide the MPRP co-ordinator with at least five working days notice of the intent to file a prospectus under the MPRP. Within two working days of receiving notice from the proponent, the MPRP co-ordinator will provide the proponent with the following:

- the proposed text for the newspaper advertisement(s) for insertion in the business section of local and regional newspapers, announcing the submission of the prospectus and the timing, location and purpose of the required public information

meeting, and soliciting written comments on the prospectus;
- a list of newspapers that should carry the advertisement;
- a list of public libraries and special-interest, environmental and Native groups to which the prospectus should be distributed (the MPRP co-ordinator is responsible for distribution of the prospectus to federal, provincial and local government review agencies);
- the MPSC cover letters to be attached to the prospectus for distribution to libraries, special interest and Native groups;
- an agenda for the public information meeting, and the role of the MPSC representatives and the proponent; and
- the number of copies of the prospectus to be submitted to the MPRP co-ordinator.

The proponent is required to submit the necessary copies of the prospectus to the MPRP co-ordinator and to all libraries, groups and individuals identified on the distribution list, by the date of the newspaper advertisement.

PUBLIC CONSULTATION

Within two weeks of distribution of the prospectus, the proponent is to hold a public information meeting. A representative of the MPSC will be in attendance at this meeting. The purpose of the meeting will be to introduce the proposed project to the community. The MPSC reprsentative will outline the mechanisms for public consultation in the MPRP, and explain the relationship between the MPRP and EARP (or other planning processes where these may apply).

This meeting will be organized and funded by the proponent. The requirement for this public meeting does not preclude the proponent from holding other information meetings/open houses prior to or during the MPRP review.

The proponent is responsible for preparing a report that outlines how the issues and concerns raised by the public during the Prospectus review are to be addressed. The report is to be submitted to the MPRP co-ordinator for review by the steering committee.

PROSPECTUS REVIEW

The public will be given 40 days from the date of the newspaper advertisement announcing the distribution of the prospectus to submit written comments. These comments are to be addressed to the MPRP co-ordinator with a copy to the proponent.

Government agencies, including those at the federal, provincial, regional and local levels are to submit written comments with respect to:

- the thoroughness with which potential impacts associated with the project have been identified;
- the acceptability of proposed project plans and strategies to manage those impacts;
- the effect of the proposed project on the agency's mandate and jurisdictional responsibilities;
- the issues raised by the public related to the agency's mandate (each agency must ensure that such issues are addressed in their submission to the MPSC);
- their position on whether the project should be approved in principle, rejected, or subjected to further review;
- the agency's justification of its position; and
- the applicability of further EARP review (federal agencies only).

MPSC DECISION

Based on comments from the public and government agencies, a decision on the prospectus will be made by the steering committee to grant an approval in principle, require further study, or reject the project.

The decision of the steering committee will be made public through the release of its report on the project. Public and agency comments will be appended to this report. Concurrent with the release of the MPSC report, a press release outlining the MPSC's decision will be issued.

If further review under the MPRP and/or other review processes is required, then the MPSC report and the news release will outline the manner in which the review processes will be harmonized.

APPENDIX 3

PROSPECTUS INFORMATION REQUIREMENTS

The prospectus should include a description of the proponent's corporate activities, a project description and planning outline, and the known or expected environmental and socio-economic issues or constraints to the project.

Proponents are encouraged to submit a draft prospectus for a preliminary screening to ensure that they have satisfied the prospectus information requirements.

The prospectus, which is an overview document, should be 50 to 60 pages in length.

Information in the following categories, as appropriate to the project, should be included.

CORPORATE ACTIVITY

- Corporate ownership
- Officers and directors
- Existing operations/facilities
- Net income/sales
- Location of head office
- Number of employees

PROJECT DESCRIPTION/ PLANNING

- Production levels
- Input requirements, including expected source
- Manufacturing processes to be utilized
- On-site facility layout
- Capital costs
- Preferred site(s), including associated requirements for acquisition of private or Crown land
- Infrastructure requirements, including expected public sector financial involvement
- Approximate schedules for project planning, approval and construction
- Environmental management during construction and operation

ENVIRONMENTAL AND LAND USE IMPACTS

- Local land ownership/status/use
- Storage and handling of raw materials
- Storage, handling and safety measures for fuels and hazardous materials
- Waste management, including discharges of gaseous, aqueous and solid wastes and measures to control/manage wastes and effects on receiving environment
- Water resource management (surface and groundwater), including withdrawals and waste discharge, effects of working in and about streams, and measures to control/ manage the effects on watersheds
- Emergency response plan
- Fish and wildlife impacts and mitigation
- Noise impacts and mitigation
- Health impacts
- Aesthetic impacts and mitigation
- Archaeological resource impacts and mitigation
- Outdoor recreation impacts and mitigation
- Other commercial activity impacts and mitigation (e.g., farming, fishing. . .)

SOCIO-ECONOMIC IMPACTS

- Workforce requirements during construction and operation
- Percentage of workforce recruited from non-local sources
- Settlement options for non-resident workers
- Potential socio-economic impacts of non-resident workers on affected communities
- Potential social considerations which will need to be addressed, such as impacts on Indian bands
- Transportation impacts

APPENDIX 4

PROVINCIAL AND FEDERAL STATUTES WHICH MAY APPLY TO MAJOR PROJECTS

It is the responsibility of each applicant to ensure compliance with all relevant enactments, including federal, provincial and municipal requirements. This appendix contains a list of major provincial and federal statutes which may be applicable, but this is not exhaustive, and is current only to the publication date of these MPRP Guidelines. Accordingly, it is the responsibility of each applicant to ensure that all other requirements relative to the major project are satisfied.

PROVINCIAL STATUTES

STATUTE	DESCRIPTION	AGENCY
Agricultural Land Commission Act	Permission to use land in an agricultural land reserve for a purpose other than farm use. Compliance with *Guidelines for Linear Development on Agricultural Land*.	Agricultural Land Commission, Ministry of Agriculture, Fisheries and Food
Commercial Transport Act	Registration and licensing of commercial vehicles; Regulations and permits respecting commercial vehicle operation and weight.	Weight-master, Motor Vehicle Branch, Ministry of Transportation and Highways
Environment Management Act	Requirement for impact assessment, environmental protection order, as required.	Environmental Assessment Branch, B.C. Environment
Fire Services Act	Regulations for the storage, handling and use of flammable and combustible liquids; permit system in connection with the storage of flammable and combustible liquids.	Local Fire Commissioner, Ministry of Attorney General
Fisheries Act (B.C.)	Requirements for designated rivers, streams and waterways regarding the provision of fish protective devices on dam or hydraulic projects; approval of plans affecting the passage of fish. Regulation of the operation of all commercial aquaculture facilities and fish processing.	Aquaculture and Commercial Fisheries Branch, Ministry of Agriculture, Fisheries and Food
Forest Act	Permission to use provincial forest for other than the enumerated purposes; licence or permit for cutting timber; permit for use of fire.	Ministry of Forests
Health Act	Approval of construction camp operations. Regulations for sanitation, sewage disposal, sanitation and operation of food premises, and industrial camps health regulations.	Provincial Health Officer, Ministry of Health
Heritage Conservation Act	Permit to excavate or alter sites of archaeological or historic significance.	Archaeology Branch, Ministry of Municipal Affairs, Recreation and Culture

STATUTE	DESCRIPTION	AGENCY
Highway Act	Approval of plans affecting designated highways and access to highways, including setback and sight clearance restrictions.	Regional Approving Officer, Ministry of Transportation and Highways
Land Act	Requirements regarding the disposition of Crown land, including sales, leases, licences of occupation, rights-of-ways, easements and leases or other dispositions of building or construction materials; permission to construct upon Crown land, including access roads; gravel removal order.	Regional Operations, Ministry of Lands and Parks
Municipal Act	By-laws within municipal and regional district boundaries.	Municipal Councils, Regional District Boards
Soil Conservation Act	Approval and permit necessary for the removal of soil from an agricultural land reserve. Regulations to prevent and control soil erosion.	Agricultural Land Commission, Ministry of Agriculture, Fisheries and Food
Utilities Commission Act	Energy project and energy operation certificate for the construction and operation of a regulated project. Energy removal certificate for the removal of an energy resource from the province. Regulation of public utilities, including certificates of public convenience and necessity, from Utilities Commission regulation of petroleum industry.	Energy Resources Division, Ministry of Energy, Mines and Petroleum Resources
Waste Management Act, Litter Act	Permit or temporary approval from the regional waste manager for the discharge or emission of effluent, waste material, contaminants on land, into water or into the air; restrictions regarding the discharge or disposal of litter, sewage or waste on land or into water.	Environmental Protection Division, B.C. Environment
Water Act	Water licence or approval from the regional water manager for the use, diversion or storage of water for the alteration of streams or channels and operation of works in and about water bodies. Permits authorizing the flooding of Crown land or the construction, maintenance or operation of works on Crown land.	Water Management Branch, B.C. Environment

FEDERAL STATUTES

STATUTE	DESCRIPTION	AGENCY
Canadian Environmental Protection Act	The Canadian Environmental Protection Act addresses protection of the environment and human health. It focuses on the prevention of toxic problems before they occur and the control of toxic substances throughout their lifecycles. Processes are in place to control toxic substances presently in commerce and to assess the hazards of new chemicals before they reach the marketplace.	Environmental Protection, Environment Canada
Environmental Assessment and Review Process Guidelines Order	A review of the potential environmental and directly related social effects is required for any proposal that may have an environmental effect on an area of federal responsibility. An initial assessment is undertaken by the federal department that has the decision-making authority for the project. If potential adverse environmental effects are significant or where public concern warrants, the project shall be referred to the federal Minister of the Environment for public review by a panel.	Federal Environmental Assessment Review Office
Fisheries Act	The Fisheries Act contains requirements regarding the construction of fishways or canals, the provision of fishguards or diverters, and the flow of water. It addresses the harmful alteration, disruption or destruction of fish habitat and includes pollution control provisions regarding the deposit of deleterious substances in water. Provincial conservation officers, where designated fisheries officers, are also charged with enforcement of the federal Fisheries Act.	Department of Fisheries and Oceans and Environmental Protection, Environment Canada

STATUTE	DESCRIPTION	AGENCY
International Boundary Waters Treaty Act	The International Boundary Waters Treaty Act permits the federal government to take the steps necessary to protect open and free navigation and the maintenance of natural levels and flows of boundary waters (i.e., those waters that flow along or are part of the Canada-United States border, but excluding tributaries thereto). It also commits Canada to prevent pollution of both boundary waters and waters flowing across the boundary. In addition, there are restrictions on uses, obstructions and diversions in boundary waters unless provided for by special agreement and with the approval of the International Joint Commission.	International Joint Commission
International River Improvements Act	The International River Improvements Act provides for the regulation of construction, operation and maintenance of works (flow control or diversion) on international rivers that would alter natural flows and interfere with use of the rivers outside Canada. The federal Minister of the Environment may issue a licence under the act, or an exemption, if the proposed work satisfies specified criteria. The need to grant a licence or an exemption triggers the Environmental Assessment and Review Process. Recent licences have included conditions relating not only to flow control, but also to water quality and environmental impacts.	Inland Waters, Environment Canada
Migratory Birds Convention Act	The Migratory Birds Convention Act is the ratification of a Canada-United States 1916 Migratory Birds Treaty designed to ensure the preservation of migratory birds. Migratory birds protected include game birds, insectivorous birds and other non-game birds. The act provides powers for the regulation of the taking and possession of birds. Habitat protection provisions are found in appended regulations that prohibit the disturbance or destruction of migratory bird nests, and the deposit of harmful substances in waters or areas frequented by migratory birds.	Canadian Wildlife Service, Environment Canada

STATUTE	DESCRIPTION	AGENCY
Navigable Waters Protection Act	The Navigable Waters Protection Act requires the submission of an application to obtain approval to construct any type of work whatsoever in, under, over or through a navigable body of salt or fresh water. "Navigable waters" includes any body of water capable in its natural state of being navigated by floating vessels of any description for the purpose of transportation, recreation or commerce. It also includes canals or any other body of water created or altered for public use, as a result of the construction of any work, as well as any waterway where the public right of navigation exists by dedication of the waterway for public purposes, or by the public having acquired the right to navigate through long use.	Canadian Coast Guard, Transport Canada
TERMPOL Code, Canada Shipping Act	Under the Canada Shipping Act, the federal Minister of Transport has authority to establish regulations, codes and guidelines. One such code, the Code of Recommended Standards for the Prevention of Pollution for Marine Transportation Systems and Related Assessment Procedures, or TERMPOL Code, is designed to assess ship safety, route safety and environmental concerns associated with locating, constructing and the subsequent operation of oil, chemical, LNG or LPG marine termainl systems.	Canadian Coast Guard, Transport Canada